



Andrew Dupre

Partner

T. 302-984-6328

F. 302-984-0311

adupre@mccarter.com

McCarter & English, LLP

Renaissance Centre

405 N. King Street, 8th Floor

Wilmington, DE 19801-3717

www.mccarter.com

**VIA ECF**

August 11, 2023

Honorable Leonard P. Stark  
Circuit Judge  
U.S. District Court for the District of Delaware  
844 North King Street  
Wilmington, Delaware 19801

**Re: *Valores Mundiales, S.L., et al v. Bolivarian Republic of Venezuela,*  
No. 19-mc-000298-LPS**

Dear Judge Stark:

Plaintiffs Valores Mundiales, S.L. and Consorcio Andino, S.L. (together, “Valores”) submit this letter in response to Intervenor Petróleos de Venezuela, S.A.’s (“PDVSA”) purported Joinder in the Answering Brief of Defendant the Bolivarian Republic of Venezuela (“Venezuela” and together with PDVSA, the “Venezuela Parties”), D.I. 24 (the “Joinder”).

1. As of the filing of the Joinder, Valores had already replied to Venezuela’s opposition brief, *see* D.I. 18.

2. In the Joinder, PDVSA expressly and improperly addressed argument made in Valores’s reply. The Court should not consider any new arguments raised in PDVSA’s Joinder. Under Local Rule 7.1.2(b), the Venezuela Parties are not entitled to a surreply.

3. To the extent the Court is inclined to consider new arguments in PDVSA’s Joinder, those arguments, like those already made by Venezuela, are foreclosed by the prior rulings of this Court and the Third Circuit. *OI European Grp. B.V. v. Bolivarian Republic of Venezuela*, No. 19-290-LPS, 2023 WL 2609248 at \*30 (D. Del. Mar. 23, 2023) (“PDVSA is the alter ego of the judgment debtor, the Republic of Venezuela.”); *OI European Grp. B.V. v. Bolivarian Republic of Venezuela*, 73 F.4th 157, 176 (3d Cir. July 7, 2023) (“For the second time in five years, we conclude that PDVSA is the alter ego of Venezuela, and we will affirm the District Court’s denial of sovereign immunity to PDVSA.”); *see also Crystallex Int’l Corp. v. Bolivarian Republic of Venezuela*, 333 F. Supp. 3d 380, 426 (D. Del. 2018) (granting writ of attachment). Valores hereby incorporates its reply brief by reference.

4. Valores's motion for a writ of attachment, D.I. 8, is now fully briefed. Valores respectfully asks this Court to grant its motion for a writ of attachment, so that it can meet the deadlines set by this Court's July 27, 2023 Order in *Crystallex International Corp. v. Bolivarian Republic of Venezuela*, No. 1: 17-mc-1151-LPS, D.I. 646, and execute on the Republic's assets.

Respectfully submitted,

/s/ Andrew S. Dupre

Andrew S. Dupre  
*Counsel for Valores  
Mundiales, S.L. and Consorcio  
Andino, S.L.*

cc: All Counsel of Record via ECF